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| APPLICATION NO.   | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|---|-------------|----------------------|---------------------|------------------|
| 10/605,734  | 10/22/2003  | Bruce A. Helder      | 71532-0003          | 2733             |
| 20915   | 7590        | 08/08/2005           | EXAMINER            |                  |
| MCGARRY BAIR PC<br>171 MONROE AVENUE, N.W.<br>SUITE 600<br>GRAND RAPIDS, MI 49503 |             |                      | SORKIN, DAVID L     |                  |
|   |             | ART UNIT             | PAPER NUMBER        |                  |
|   |             | 1723                 |                     |                  |

DATE MAILED: 08/08/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

| <b>Office Action Summary</b> | <b>Application No.</b> | <b>Applicant(s)</b> |  |
|------------------------------|------------------------|---------------------|--|
|                              | 10/605,734             | HELDER, BRUCE A.    |  |
|                              | <b>Examiner</b>        | <b>Art Unit</b>     |  |
|                              | David L. Sorkin        | 1723                |  |

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

1)  Responsive to communication(s) filed on 22 October 2003.

2a)  This action is FINAL.                            2b)  This action is non-final.

3)  Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## **Disposition of Claims**

4)  Claim(s) 1-22 is/are pending in the application.  
4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.

5)  Claim(s) 12-22 is/are allowed.

6)  Claim(s) 1,2 and 10 is/are rejected.

7)  Claim(s) 3-9 and 11 is/are objected to.

8)  Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

9)  The specification is objected to by the Examiner.

10)  The drawing(s) filed on \_\_\_\_\_ is/are: a)  accepted or b)  objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)  The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

12)  Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a)  All b)  Some \* c)  None of:  
1.  Certified copies of the priority documents have been received.  
2.  Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
3.  Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

1)  Notice of References Cited (PTO-892)  
2)  Notice of Draftsperson's Patent Drawing Review (PTO-948)  
3)  Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date 22 October 2003.

4)  Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_.  
5)  Notice of Informal Patent Application (PTO-152)  
6)  Other: \_\_\_\_.

## DETAILED ACTION

### ***Claim Rejections - 35 USC § 102***

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claim 1, 2 and 10 are rejected under 35 U.S.C. 102(b) as being anticipated by Kambara (US 5,431,087). Kambara ('087) discloses a hydraulic actuator assembly comprising a first hydraulic actuator having a first cylinder (52) with a first longitudinal axis, and a first piston (40) slidable within the cylinder and attached to a first piston rod (34, particularly one which is attached to 16) for movement along the first axis with respect to the cylinder; a second hydraulic actuator having a second cylinder (another of 52) with a second longitudinal axis, a second piston (another of 40) slidable in the second cylinder and attached to a second piston rod (another of 34, particularly one which is attached to 14) for movement along the second longitudinal axis with respect to the second cylinder, and a non-rotational coupling (including 14, 30 and the other of 34 which is attached to 14) mounted between the second piston rod and the second cylinder for non-rotational movement of the second piston rod about the second longitudinal axis; and a rigid mounting between the first cylinder and the second cylinder so that the first longitudinal axis is parallel to the second longitudinal axis (see Fig. 2), and the first and second piston rods are movable in opposite directions (see Fig. 2).  
Regarding claim 2, the disclosed position and purpose of “rod connecting block screws”

18 necessitates that the second piston rod has an axial bore therein. Regarding claim 10, a non-rotational mounting (16, 32 and the other of 34 which is attached to 16) is mounted between the first piston rod and the first cylinder for non-rotational movement of the first piston rod about the first longitudinal axis.

***Allowable Subject Matter***

3. Claims 12-22 are allowed.
4. Claims 3-9 and 11 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

***Conclusion***

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to David L. Sorkin whose telephone number is 571-272-1148. The examiner can normally be reached on 9:00 -5:30 Mon.-Fri..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Wanda L. Walker can be reached on 571-272-1151. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



David L. Sorkin  
Primary Examiner  
Art Unit 1723

DLS